

1 vote down this amendment.

2 DELEGATE CLARK: Any further discussion?

3 Delegate Mudd.

4 DELEGATE MUDD: Mr. Chairman, I rise to speak
5 in support of the Scanlan amendment. This matter was
6 debated to some extent as the Members of the Committee of
7 the Whole may recall at the time we considered the recom-
8 mendation of the Committee on the Judicial Branch.

9 At that time the Minority report suggested
10 this amendment or addition to the Judicial article,
11 "There shall be the right of removal in each case before
12 the Superior Court and District Court in a manner described
13 by rule or by law."

14 That amendment was proposed as I recollect and
15 rejected. We feel that the identical question is now
16 presented on the Scanlan amendment.

17 As indicated by Judge Henderson, the right in
18 criminal cases is otherwise protected in the Constitution.
19 The amendment proposed by Delegate Johnson to the Judicial
20 article did nothing more than to suggest that the right be
21 nothing more than the right prescribed by law or by rule.